



Order Filed on May 19, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**ORDER (I) APPROVING THE DISCLOSURE STATEMENT ON AN INTERIM BASIS; (II) SCHEDULING A COMBINED HEARING ON FINAL APPROVAL OF THE DISCLOSURE STATEMENT AND PLAN CONFIRMATION AND DEADLINES RELATED THERETO; (III) APPROVING THE CONFIRMATION HEARING NOTICE; AND (IV) GRANTING RELATED
RELIEF**

The relief set forth on the following pages, numbered two (2) through ten (10), is hereby
ORDERED.

DATED: May 19, 2022

A handwritten signature in black ink, appearing to be "J. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Aluminum Shapes, L.L.C.

Case No. 21-16520 (JNP)

Order Caption: Order (I) Approving the Disclosure Statement on an Interim Basis; (II) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation and Deadlines Related Thereto; (III) Approving the Confirmation Hearing Notice; and (IV) Granting Related Relief

Upon consideration of the *Request of the Official Committee of Unsecured Creditors of Aluminum Shapes, L.L.C. (the "Committee") for Entry of an Order (I) Approving the Disclosure Statement on an Interim Basis; (II) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation and Deadlines Related Thereto; (III) Approving the Confirmation Notice; and (IV) Granting Related Relief (the "Motion")*,¹ by and through the Committee's respective counsel Fox Rothschild LLP; and the consent of the United States Trustee; based on the record in the Debtor's chapter 11 case; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, dated September 18, 2012; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) with the Court having jurisdiction to enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that sufficient notice of the Motion has been given; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors, and other parties-in-interest; and the Court having reviewed the Motion and having considered the statements in support of the relief requested therein at hearing; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceeding had before the Court; and after due deliberation and good cause appearing therefor;

IT IS HEREBY FOUND THAT:

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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Debtor: Aluminum Shapes, L.L.C.

Case No. 21-16520 (JNP)

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A. The Committee has all necessary authority to propose and prosecute the Plan and the Disclosure Statement.

B. The Committee has provided adequate notice of the Motion, and the time fixed for filing objections thereto, and no other or further notice need be provided with respect to the Motion.

C. The notices, substantially in the form attached hereto as Exhibit A (the “Confirmation Hearing Notice”) and Exhibit B (the “Non-Voting Status Notice” and with the Confirmation Hearing Notice, the “Notices”), sets forth the procedures and notice to creditors and parties-in-interest of the time, date, and place of the Confirmation Hearing (defined below), and the contents of the Notices comply with Bankruptcy Rules 2002 and 3017 and shall be deemed good and sufficient notice of the Plan, the Disclosure Statement, the deadline to object to final approval of the Disclosure Statement and confirmation of the Plan, and the Confirmation Hearing, and no other or further notice need be given to interested parties.

D. The Ballots, substantially in the form attached hereto as **Exhibit C**, **Exhibit D**, and **Exhibit E** are sufficiently consistent with Official Form No. 314, adequately address the particular needs of this chapter 11 case and are appropriate for Voting Classes to vote to accept or reject the Plan.

NOW THEREFOR, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is **GRANTED** to the extent set forth herein.
2. The Disclosure Statement is approved on an interim basis under section 1125 of the Bankruptcy Code and Bankruptcy Rule 3017. Any objections to the adequacy of the information

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contained in the Disclosure Statement are expressly reserved for consideration at the Confirmation Hearing.

3. The Confirmation Schedule is approved as follows:

EVENT	DATE
Deadline to Serve the Notice Package (defined below)	May 24, 2022
Deadline for Plan Proponent to File Plan Supplement	June 10, 2022 at 5:00 p.m. (ET)
Deadline to Object to Final Approval of the Disclosure Statement and Confirmation of the Plan	June 24, 2022 at 5:00 p.m. (ET)
Voting Deadline	June 24, 2022 at 5:00 p.m. (ET)
Deadline for Plan Proponent to File Certification of Balloting	June 28, 2022 at 5:00 p.m. (ET)
Deadline for Plan Proponent to File Confirmation Brief and/or Reply to any Objection to Final Approval of Disclosure Statement or Plan	June 30, 2022 at 5:00 p.m. (ET)
Combined Hearing on Final Approval of the Disclosure Statement and Confirmation of the Plan	July 7, 2022 at 10:00 a.m. (ET)

4. As set forth above, the combined hearing on final approval of the adequacy of the Disclosure Statement and confirmation of the Plan is scheduled for **July 7, 2022 at 10:00 a.m. (ET)** (the “**Confirmation Hearing**”). The deadline to file objections to the adequacy of the Disclosure Statement and confirmation of the Plan is **June 24, 2022 at 5:00 p.m. (ET)** (the “**Objection Deadline**”). Parties wishing to appear at the Confirmation Hearing shall arrange to appear telephonically through Court-Solutions at www.court-solutions.com. The Confirmation Hearing may be continued from time to time by the Court or the Committee without further notice other than adjournments announced in open court.

5. The Deadline for the Committee to file the Certification of Balloting is **June 28, 2020 at 5:00 p.m. (ET)**.

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6. The Deadline for the Committee (and other parties in support of the Plan) to file a brief in support of confirmation of the Plan and/or a reply to any objections to the final approval of the Disclosure Statement and Confirmation of the Plan is **June 30, 2022 at 5:00 p.m. (ET)**.

7. Objections to the adequacy of the Disclosure Statement and confirmation of the Plan, if any, must (i) be in writing, (ii) state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection; and (iii) be filed with the Clerk of the Bankruptcy Court (x) electronically by attorneys who regularly practice before the Bankruptcy Court in accordance with the *General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents* dated March 27, 2002 (the “**General Order**”) and the *Commentary Supplementing Administrative Procedures* dated as of March 2004 (the “**Supplementary Commentary**”) (the General Order, the Supplementary Commentary, and the User’s Manual for Electronic Case Filing System can be found at the Bankruptcy Court’s official website, www.njb.uscourts.gov) and, (y) by all other parties-in-interest, on CD-ROM in Portable Document Format (PDF) mailed to the Clerk of the Bankruptcy Court, Clerk’s Office: U.S. Post Office and Courthouse, 401 Market Street, Second Floor, Camden, NJ 08101, such as to be received for filing by the Objection Deadline, and in both instances shall be served in accordance with the General Order and Supplementary Commentary, so as to be received no later than the Objection Deadline. Any objections that fail to comply with the requirements set forth in this Order may, in the Court’s discretion, not be considered and may be overruled.

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8. The Confirmation Hearing Notice, in substantially the form attached hereto as **Exhibit A** and the Non-Voting Status Notice, substantially in the form attached hereto as **Exhibit B**, comply with the requirements of Bankruptcy Rules 2002(b), 2002(d), and 3017(d) and are approved in all respects. The Confirmation Hearing Notice and the Non-Voting Status Notice, as applicable, shall be served upon the Debtor's creditors and all parties requesting notice pursuant to Bankruptcy Rule 2002 on or before May 24, 2022, or as soon as reasonably practicable thereafter.

9. The Committee, through Debtor's Claims Agent Epiq Corporate Restructuring, LLC ("Epiq"), shall serve a package (the "**Solicitation Package**") containing: (i) a cover letter describing the contents of the Notice Package; (ii) the Disclosure Statement, the Plan and all exhibits thereto (either in paper or in PDF format on a disk or flash drive); (iii) a copy of this Order; (iv) the Confirmation Hearing Notice; (v) the relevant ballot to creditors with claims in Classes, 2, 3, and 4; and (vi) such other materials as the Court may direct, upon (a) all creditors in Classes 2, 3 and 4 entitled to vote, and all parties requesting notice pursuant to Bankruptcy Rule 2002 on or before **May 24, 2022**, or as soon as reasonably practicable thereafter. Creditors in Classes 1, 5 and 6 shall be served only the Non-Voting Notice of Confirmation and this Order. Other creditors contained in the creditor matrix shall be served the Confirmation Hearing Notice and this Order only. The proposed distribution and contents of the Solicitation Package are hereby approved.

10. Any creditor who has filed or purchased duplicate Claims within the same Voting Class shall be provided with only one Solicitation Package and one Ballot for voting a single Claim

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in such Class, regardless of whether the Debtor or Committee have objected to such duplicate Claims.

11. Epiq, the Debtor's notice and claims agent, is ordered to assist the Committee in (a) serving the Solicitation Package; (b) responding to inquiries from Holders of Claims and Interests and other parties in interest relating to the Disclosure Statement, the Plan, the Solicitation Package and all other related documents and matters related thereto, including the procedures and requirements for objecting to confirmation of the Plan or approval of the Disclosure Statement on a final basis; (c) counting the ballots in favor and against the Plan and certifying to the Court the results; and (d) if necessary, contacting creditors regarding the Plan.

12. In order to properly submit a Ballot, the parties must file their ballot with Epiq at <https://dm.epiq11.com/aluminumshapes> via the E-Ballot portal or fully complete and execute the Ballot and return it by first class mail, over-night courier, or hand-delivery to Epiq at the address set forth in the Ballot on or before **June 24, 2022 at 5:00 a.m. (ET)**.

13. Except for Ballots submitted through the E-Ballot portal, Ballots otherwise sent by facsimile, telecopy or electronic email will not be accepted. Only properly completed, executed, and timely submitted Ballots will be accepted.

14. The following Ballots will not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected:

- a. Any Ballot received after the Voting Deadline (as may be extended by the Committee as provided herein);

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- b. Any Ballot that is illegible or contains insufficient information to permit identification of the Claimant;
- c. Any Ballot received after the Voting Deadline;
- d. Any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote to accept or reject the Plan;
- e. Separate Claims held by a single creditor in a particular Class will be aggregated and treated as if such creditor held one Claim in such Class, and all votes related to such Claim will be treated as a single vote to accept or reject the Plan;
- f. Any Ballot that indicates neither an acceptance nor a rejection or indicates both an acceptance and a rejection;
- g. Any Ballot cast for a Claim that is scheduled as contingent, unliquidated, disputed or as zero or in unknown amount and for which no timely motion is made pursuant to Bankruptcy Rule 3018 (a "Rule 3018(a) Motion");
- h. Any Ballot that casts part of its vote in the same class to accept the Plan and part to reject the Plan;
- i. Any Ballot other than the form sent by Epiq, or a copy thereof;
- j. Any Ballot received that cannot be matched to an existing database record;
- k. Any Ballot that does not contain an original signature (for the avoidance of doubt, Ballots validly submitted through the E-Ballot Portal will be deemed original);

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- l. Any Ballot that is submitted by facsimile, email, or other electronic means (except Ballots submitted through the E-Ballot Portal); or
- m. Any Ballot sent to any address other than the official address set forth in the Ballot.

15. The Committee is authorized to waive or permit the cure of any defects or irregularities or conditions of delivery as to any particular Ballot. Unless waived, any such defects or irregularities must be cured by the Voting Deadline. Neither the Committee nor any other person will be under any duty to provide notification of such defects or irregularities or failure to satisfy conditions of delivery nor will any of them incur any liabilities for failure to provide such notification.

16. The Plan's exculpatory provisions, and injunctions comply with Bankruptcy Rule 3016(c) and conspicuously describe the conduct and parties enjoined by the Plan. Nothing in this Order shall be deemed a finding or determination or order that the terms and conditions of any of such releases, exculpatory provisions, or injunctions are approved.

17. If necessary, the Committee shall file a Plan Supplement by **June 10, 2022 at 5:00 p.m. (ET)** on notice to all creditors and parties-in-interest.

18. The Committee is authorized to make non-material changes to the Disclosure Statement, Plan, Interim Approval and Procedures Notice, and related pleadings without further order of the Court (but subject to providing the Debtor and the Office of the United States Trustee a redline of such changes prior to filing the applicable pleadings with such changes), including

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without limitation, changes to correct typographical and grammatical errors and to make conforming changes among the foregoing documents before their distribution.

19. The Solicitation Procedures are hereby approved.
20. The Tabulation Procedures are hereby approved.
21. The Ballots attached hereto as **Exhibit C**, **Exhibit D** and **Exhibit E** are hereby approved.
22. The Committee is hereby authorized to take any action necessary or appropriate to implement the terms of, and the relief granted in, this Order without seeking further order of the Court.
23. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order.
24. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Exhibit A

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

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*Counsel to the Official Committee of Unsecured
Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**NOTICE OF (A) INTERIM APPROVAL OF THE DISCLOSURE STATEMENT AND (B)
COMBINED HEARING TO CONSIDER FINAL APPROVAL OF
DISCLOSURE STATEMENT AND CONFIRMATION OF THE PLAN
AND THE OBJECTION DEADLINES RELATED THERETO**

TO ALL PARTIES IN INTEREST, PLEASE TAKE NOTICE THAT:

1. **Filing of the Disclosure Statement and Plan.** On May 17, 2022, the Official Committee of Unsecured Creditors of Aluminum Shapes, L.L.C. (the "Committee") filed the Disclosure Statement for the Plan of Liquidation of the Official Committee of Unsecured Creditors of Aluminum Shapes, L.L.C. Dated May 6, 2022 [Docket No. 511] (as amended from time to time and including all exhibits and supplements thereto, the "Disclosure Statement") and the Official Committee of Unsecured Creditors' Plan of Liquidation [Docket No. 512] (as may be amended, supplemented or modified, including all exhibits thereto, the "Plan").
2. **Interim Bankruptcy Court Approval of the Disclosure Statement and the Solicitation Procedures.** On [DATE], the United States Bankruptcy Court for the District of New Jersey (the "Bankruptcy Court") entered an order [Docket No.] (the "Interim Approval and Procedures Order") approving, the Disclosure Statement on an interim basis and authorizing the Committee

to provide notice of its intent to seek confirmation of the Plan pursuant to certain procedures set forth therein, including the solicitation of votes to accept or reject the Plan. The Bankruptcy Court's interim approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court

3. **The Combined Hearing.** A combined hearing to consider final approval of the Disclosure Statement and confirmation of the Plan (the "Combined Hearing") will commence on **July 7, 2022 at 10:00 a.m. (ET)** before the Honorable Jerrold N. Poslusny, Jr., United States Bankruptcy Judge either in person at Courtroom 4C, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, N.J. 08101 or by remote video via Court-Solutions. Please be advised that the Combined Hearing may be continued from time to time by the Bankruptcy Court or the Committee without further notice other than by such adjournment being announced in open court or by a notice of adjournment filed with the Bankruptcy Court and served on parties entitled to notice under Bankruptcy Rule 2002 and the Local Rules, or otherwise. In accordance with the Plan, the Plan may be modified, if necessary, prior to , during, or as a result of the Combined Hearing by further action of the Committee and without further notice or action, order or approval of the Bankruptcy Court or any other Entity.
4. **Objections to Final Approval of the Disclosure Statement and Confirmation of the Plan.** The Bankruptcy Court has established **June 24, 2022 at 5:00 p.m. (ET)**, as the last date and time for filing and serving objections to the adequacy of the information in the Disclosure Statement and to object to confirmation of the Plan (the "Objection Deadline"). Any objection to the final approval of the Disclosure Statement and confirmation of the Plan must (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such Entity; (d) state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan, and if practicable, a proposed modification to the Plan that would resolve such objection, and (e) be filed with the Clerk of the Bankruptcy Court for the District of New Jersey, U.S. Post Office and Courthouse, 401 Market Street, Camden, New Jersey 08101, and served on the following:
 - (i) Counsel to the Committee, Fox Rothschild LLP, 1301 Atlantic Avenue, Midtown Building, Suite 400, Atlantic City, NJ 08401-7212 (Attn: Michael J. Viscount, Jr. Esquire) and at 2000 Market Street, 20th Floor, Philadelphia, PA 19103 (Attn: Martha B. Chovanes, Esquire);
 - (ii) Counsel to the Debtor, Obermayer, Rebmann Maxwell & Hippel, 1120 Route 73, Suite 420, Mount Laurel, NJ 08054-5108 (Attn: Edmond M. George, Esquire) and at Centre Square West, 1500 Market Street, Suite 3400, Philadelphia, PA 19102-2101 (Attn: Michael D. Vagnoni, Esquire); and
 - (iii) Office of the United States Trustee, One Newark Center, 1085 Raymond Boulevard, Suite 2100, Newark, NJ 07102 (Attn: Jeffrey Sponder, Esquire).
5. **Plan Injunction and Exculpation Provisions.** Please take note that the Plan contains the Injunction and Exculpation provisions set forth below:

7.5.2 INJUNCTION
ALL INJUNCTIONS OR STAYS PROVIDED FOR IN THE CHAPTER 11
CASE UNDER SECTIONS 105 OR 362 OF THE BANKRUPTCY CODE,
OR OTHERWISE, AND IN EXISTENCE ON THE CONFIRMATION

DATE, WILL REMAIN IN FULL FORCE AND EFFECT UNTIL THE EFFECTIVE DATE. EXCEPT AS OTHERWISE PROVIDED IN THE PLAN, OR TO THE EXTENT NECESSARY TO ENFORCE THE TERMS AND CONDITIONS OF THE PLAN, THE CONFIRMATION ORDER, OR A SEPARATE ORDER OF THE BANKRUPTCY COURT, ALL ENTITIES WHO HAVE HELD, HOLD OR MAY HOLD CLAIMS AGAINST OR EQUITY INTERESTS IN THE DEBTOR, WILL BE PERMANENTLY ENJOINED FROM TAKING ANY OF THE FOLLOWING ACTIONS AGAINST THE DEBTOR, ITS ESTATE, OR ANY OF ITS PROPERTY ON ACCOUNT OF ANY SUCH CLAIM OR EQUITY INTEREST: (A) COMMENCING OR CONTINUING, IN ANY MANNER OR IN ANY PLACE, ANY ACTION OR OTHER PROCEEDING; (B) ENFORCING, ATTACHING, COLLECTING, OR RECOVERING IN ANY MANNER ANY JUDGMENT, AWARD, DECREE OR ORDER; (C) CREATING, PERFECTING, OR ENFORCING ANY LIEN OR ENCUMBRANCE; (D) ASSERTING A SETOFF, RIGHT OF SUBROGATION, OR RECOUPMENT OF ANY KIND AGAINST ANY DEBT, LIABILITY, OR OBLIGATION DUE TO THE DEBTOR, EXCEPT AS OTHERWISE SET FORTH IN THE PLAN; AND (E) COMMENCING OR CONTINUING, IN ANY MANNER OR IN ANY PLACE, ANY ACTION THAT DOES NOT COMPLY WITH OR IS INCONSISTENT WITH THE PROVISIONS OF THE PLAN, PROVIDED, HOWEVER, THAT SUCH ENTITIES WILL NOT BE PRECLUDED FROM EXERCISING THEIR RIGHTS PURSUANT TO AND CONSISTENT WITH THE TERMS OF THE PLAN, THE CONFIRMATION ORDER, OR THE LIQUIDATING TRUST AGREEMENT.

7.5.3 Exculpation

Neither (a) the Debtor, nor any of its officers, directors, employees, managers, members or Bankruptcy Court appointed advisors, attorneys, professionals or agents, or (b) the Committee, nor any of its Bankruptcy Court appointed members, attorneys, or professionals, shall have or incur any liability to any holder of a Claim, for any act or omission in connection with, related to, or arising out of, the Chapter 11 Case, the pursuit or consummation of the sales of its assets pursuant to the Final APA to VV9000, the pursuit of the Hydro transaction, the pursuit of confirmation of the Plan, the consummation of the Plan or the administration of the Plan or the property of the Debtor to be realized, liquidated, retained or distributed under the Plan, except for willful misconduct, gross negligence, or a breach of fiduciary duty, and, in all respects, the Debtor, and its respective members, managers, officers, directors, employees, and Bankruptcy Court appointed advisors, professionals and agents and the Committee and its Bankruptcy Court appointed members, attorneys and professionals shall be entitled to rely upon the advice of counsel with respect to its duties and responsibilities under the Plan.

6. **Voting Procedures.** Holder of Class 2, Class 3, and Class 4 Claims are entitled to vote to accept or reject the Plan. If you hold such a Claim, you will receive a solicitation package which shall include, among other things, a copy of (i) this Notice, (ii) the Disclosure Statement, (iii) the Plan,

and (IV) a Ballot. Please review the ballot and the instructions included therewith for how to vote on the Plan. Failure to follow the voting instructions may disqualify your vote. Please be advised that the Holders of Class 2, Class 3, and Class 4 are the only holders of Claims or Interests that are entitled to vote on the Plan.

7. **Voting Deadline.** The deadline to vote on the Plan is **June 24, 2022 at 5:00 p.m. (ET)** (the “Voting Deadline”). Epiq Bankruptcy Solutions, LLC (“Epiq”), the Debtor’s Claims and Noticing Agent, must receive your ballot by the Voting Deadline, otherwise your vote will not be counted. You may complete your ballot on Epiq’s website at <https://dm.epiq11.com/aluminumshapes> and then click on the “E-Ballot” section of the website and follow the instructions for ballot submission, or if filing by paper, by first class mail you must properly complete, date, and execute the Ballot and deliver the Ballot by (a) first class mail, at the address provided on the Ballot; (b) overnight courier; or (c) hand-delivery so that such Ballot is actually received by Epiq on or before the Voting Deadline.
8. **Directions to obtain the Plan Documents and Make Inquiries.** If you have any questions regarding the ballot, did not receive a return envelope with your ballot, did not receive a copy of the Disclosure Statement or the Plan, or need additional copies of the Ballot or other enclosed materials, **please contact the claims and solicitation agent Epiq Corporate Restructuring, LLC, in writing at Aluminum Shapes, LLC – Ballot Processing, C/O Epiq Corporate Restructuring LLC, 10300 SW Allen Boulevard, Beaverton, OR 97005 or by Email at : ALUMINUMSHAPESINFO@EPIQGLOBAL.COM.**

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN AS YOUR RIGHTS MAY BE AFFECTED.

Dated: May __, 2022

FOX ROTHSCHILD LLP

By: _____
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
Michael J. Viscount, Esq.

Attorneys for the Official Committee of
Unsecured Creditors of Aluminum Shapes
L.L.C.

Exhibit B

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

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Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**NOTICE OF NON-VOTING STATUS TO HOLDERS OR POTENTIAL HOLDERS OF
UNIMPAIRED CLAIMS CONCLUSIVELY PRESUMED TO ACCEPT THE PLAN
AND/OR HOLDERS OR POTENTIAL HOLDERS OF IMPAIRED CLAIMS
OR INTERESTS DEEMED TO REJECT THE PLAN**

PLEASE TAKE NOTICE THAT On May 17, 2022, the Official Committee of Unsecured Creditors of Aluminum Shapes, L.L.C. (the “Committee”) filed the Disclosure Statement for the Plan of Liquidation of the Official Committee of Unsecured Creditors of Aluminum Shapes, L.L.C. Dated May 6, 2022 [Docket No 512] (as amended from time to time and including all exhibits and supplements thereto, the “Disclosure Statement”) and the Official Committee of Unsecured Creditors’ Plan of Liquidation [Docket No. 511] (as may be amended, supplemented or modified, including all exhibits thereto, the “Plan”).

PLEASE TAKE NOTICE THAT on [DATE], the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”) entered an order [Docket No.] (the “**Interim Approval and Procedures Order**”) approving, the Disclosure Statement on an interim basis and authorizing the Committee to provide notice of its intent to seek confirmation of the Plan pursuant to

certain procedures set forth therein, including the solicitation of votes to accept or reject the Plan. The Bankruptcy Court's interim approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court.

PLEASE TAKE FURTHER NOTICE THAT you are a holder or potential holder of a Claim against the Debtor that is not entitled to vote on the Plan due to the nature and treatment of such Claim under the Plan. Specifically, a holder of a Claim in a class that is not impaired under the Plan is conclusively presumed to have accepted the Plan pursuant to section 1126(f) of the Bankruptcy Code and is **not** entitled to vote on the Plan. Further, a holder of a Claim or Interest in a class that is Impaired under the Plan and conclusively presumed to have rejected the Plan pursuant to section 1126(g) of the Bankruptcy Code is **not** entitled to vote on the Plan.

PLEASE TAKE FURTHER NOTICE THAT a combined hearing to consider final approval of the Disclosure Statement and confirmation of the Plan (the "Combined Hearing") will commence on **July 7, 2022 at 10:00 a.m. (ET)** before the Honorable Jerrold N. Poslusny, Jr., United States Bankruptcy Judge either in person at either in person at Courtroom 4C, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, N.J. 08101 or by remote video via Court-Solutions. Please be advised that the Combined Hearing may be continued from time to time by the Bankruptcy Court or the Committee without further notice other than by such adjournment being announced in open court or by a notice of adjournment filed with the Bankruptcy Court and served on parties entitled to notice under Bankruptcy Rule 2002 and the Local Rules, or otherwise. In accordance with the Plan, the Plan may be modified, if necessary, prior to, during, or as a result of the Combined Hearing by further action of the Committee and without further notice or action, order or approval of the Bankruptcy Court or any other Entity.

PLEASE TAKE FURTHER NOTICE THAT the Bankruptcy Court has established **June 24, 2022 at 5:00 p.m. (ET)**, as the last date and time for filing and serving objections to the adequacy of the information in the Disclosure Statement and to object to confirmation of the Plan (the "Objection Deadline"). Any objection to the final approval of the Disclosure Statement and confirmation of the Plan must (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such Entity; (d) state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan, and if practicable, a proposed modification to the Plan that would resolve such objection, and (e) be filed with the Clerk of the Bankruptcy Court for the District of New Jersey, U.S. Post Office and Courthouse, 401 Market Street, Camden, New Jersey 08101, and served on the following:

- (i) Counsel to the Committee, Fox Rothschild LLP, 1301 Atlantic Avenue, Midtown Building, Suite 400, Atlantic City, NJ 08401-7212 (Attn: Michael J. Viscount, Jr. Esquire) and at 2000 Market Street, 20th Floor, Philadelphia, PA 19103 (Attn: Martha B. Chovanes, Esquire);
- (ii) Counsel to the Debtor, Obermayer, Rebmann Maxwell & Hoppel, 1120 Route 73, Suite 420, Mount Laurel, NJ 08054-5108 (Attn: Edmond M. George, Esquire) and at Centre Square West, 1500 Market Street, Suite 3400, Philadelphia, PA 19102-2101 (Attn: Michael D. Vagnoni, Esquire); and
- (iii) Office of the United States Trustee, One Newark Center, 1085 Raymond Boulevard, Suite 2100, Newark, NJ 07102 (Attn: Jeffrey Sponder, Esquire).

PLEASE TAKE FURTHER NOTICE THAT the Plan contains the Injunction and Exculpation provisions set forth below.

7.5.2 INJUNCTION

ALL INJUNCTIONS OR STAYS PROVIDED FOR IN THE CHAPTER 11 CASE UNDER SECTIONS 105 OR 362 OF THE BANKRUPTCY CODE, OR OTHERWISE, AND IN EXISTENCE ON THE CONFIRMATION DATE, WILL REMAIN IN FULL FORCE AND EFFECT UNTIL THE EFFECTIVE DATE. EXCEPT AS OTHERWISE PROVIDED IN THE PLAN, OR TO THE EXTENT NECESSARY TO ENFORCE THE TERMS AND CONDITIONS OF THE PLAN, THE CONFIRMATION ORDER, OR A SEPARATE ORDER OF THE BANKRUPTCY COURT, ALL ENTITIES WHO HAVE HELD, HOLD OR MAY HOLD CLAIMS AGAINST OR EQUITY INTERESTS IN THE DEBTOR, WILL BE PERMANENTLY ENJOINED FROM TAKING ANY OF THE FOLLOWING ACTIONS AGAINST THE DEBTOR, ITS ESTATE, OR ANY OF ITS PROPERTY ON ACCOUNT OF ANY SUCH CLAIM OR EQUITY INTEREST: (A) COMMENCING OR CONTINUING, IN ANY MANNER OR IN ANY PLACE, ANY ACTION OR OTHER PROCEEDING; (B) ENFORCING, ATTACHING, COLLECTING, OR RECOVERING IN ANY MANNER ANY JUDGMENT, AWARD, DECREE OR ORDER; (C) CREATING, PERFECTING, OR ENFORCING ANY LIEN OR ENCUMBRANCE; (D) ASSERTING A SETOFF, RIGHT OF SUBROGATION, OR RECOUPMENT OF ANY KIND AGAINST ANY DEBT, LIABILITY, OR OBLIGATION DUE TO THE DEBTOR, EXCEPT AS OTHERWISE SET FORTH IN THE PLAN; AND (E) COMMENCING OR CONTINUING, IN ANY MANNER OR IN ANY PLACE, ANY ACTION THAT DOES NOT COMPLY WITH OR IS INCONSISTENT WITH THE PROVISIONS OF THE PLAN, PROVIDED, HOWEVER, THAT SUCH ENTITIES WILL NOT BE PRECLUDED FROM EXERCISING THEIR RIGHTS PURSUANT TO AND CONSISTENT WITH THE TERMS OF THE PLAN, THE CONFIRMATION ORDER, OR THE LIQUIDATING TRUST AGREEMENT.

7.5.3 Exculpation

Neither (a) the Debtor, nor any of its officers, directors, employees, managers, members or Bankruptcy Court appointed advisors, attorneys, professionals or agents, or (b) the Committee, nor any of its Bankruptcy Court appointed members, attorneys, or professionals, shall have or incur any liability to any holder of a Claim, for any act or omission in connection with, related to, or arising out of, the Chapter 11 Case, the pursuit or consummation of the sales of its assets pursuant to the Final APA to VV9000, the pursuit of the Hydro transaction, the pursuit of confirmation of the Plan, the consummation of the Plan or the administration of the Plan or the property of the Debtor to be realized, liquidated, retained or distributed under the Plan, except for willful misconduct, gross negligence, or a breach of fiduciary duty, and, in all respects, the Debtor, and its respective members, managers, officers, directors, employees, and Bankruptcy Court appointed advisors, professionals and agents and the Committee and its Bankruptcy Court appointed members, attorneys and professionals shall be entitled to rely upon the advice of counsel with respect to its duties and responsibilities under the Plan.

PLEASE TAKE FURTHER NOTICE THAT if you wish to obtain copies of the Plan, Disclosure Statement, the Interim Approval and Procedures Order (the “Plan Documents”), you may do so by contacting the claims and solicitation agent Epiq Corporate Restructuring, LLC, in writing at Aluminum Shapes, LLC – Ballot Processing, C/O Epiq Corporate Restructuring LLC, 10300 SW Allen Boulevard, Beaverton, OR 97005 or by Email at : ALUMINUMSHAPESINFO@EPIQGLOBAL.COM.

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN AS YOUR RIGHTS MAY BE AFFECTED.

Dated: May __, 2022

FOX ROTHSCHILD LLP

By: _____
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
Michael J. Viscount, Esq.

Attorneys for the Official Committee of
Unsecured Creditors of Aluminum Shapes
L.L.C.

Exhibit C

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401-7212
Michael J. Viscount, Esq.
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
mviscount@foxrothschild.com
mchovanes@foxrothschild.com
jdipasquale@foxrothschild.com
Telephone: (609) 348-4515
Facsimile: (609) 348-6834

*Counsel to the Official Committee of Unsecured
Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**BALLOT FOR ACCEPTING OR REJECTING THE PLAN OF LIQUIDATION OF THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ALUMINUM SHAPES
L.L.C. PURSUANT TO SECTION 1126(B) OF THE BANKRUPTCY CODE**

For Use by Record Holders of Class 2 Claims (Other Secured Creditor Claims)

DEADLINE FOR RECEIPT OF BALLOTS: JUNE 24, 2022 AT 5:00 P.M. (ET)

The Plan of Liquidation (the “Plan”) proposed by the Official Committee of Unsecured Creditors of Aluminum Shapes L.L.C. in the above-referenced case (the “Committee”), dated May 6, 2022 [Docket No. 511], filed in the above-captioned Chapter 11 Case, referred to in this Ballot and transmitted concurrently herewith. **As set forth in the Plan, Class 2 is entitled to vote on the Plan.** Class 2 is comprised of holders of Allowed Other Secured Claims. Pursuant to section 1126(c) of section 1129 of Title 11 of the United States Code (the “Bankruptcy Code”), acceptance of the Plan by Class 2, and confirmation of the Plan by the Bankruptcy Court, requires that at least two-thirds (2/3) in amount and one-half (1/2) in number of holders of Class 2 Claims vote in favor of the Plan. Before casting your vote, please refer to the Plan, which is transmitted concurrently herewith.

You should review the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your claim has been placed in Class 2 under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Epiq Bankruptcy Solutions, LLC (“Epiq”) through completing the ballot on Epiq’s website at <https://dm.epiq11.com/aluminumshapes> and then click on the “E-Ballot” section of the website and follow the instructions for ballot submission, or if filing by paper, by first class mail at: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422 or if by overnight mail or hand delivery to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon 97005, on or before JUNE 24, 2022 at 5:00 p.m. (ET), and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

If a Ballot is signed by a trustee, executor, administrator, guardian, attorney-in-fact, officer of a corporation, partner of a partnership, or other person acting in a fiduciary or representative capacity, such person should indicate his or her capacity when signing.

(Please complete the next page)

PLEASE SEE PRIOR PAGE FOR INSTRUCTIONS

**ALUMINUM SHAPES L.L.C.
CHAPTER 11 – CASE NO. 21-16520-JNP
United States Bankruptcy Court for the District of New Jersey**

***Committee Plan of Liquidation of the Debtor Under Chapter 11
of the Bankruptcy Code (Dated May 6, 2022)***

Class 2: Other Secured Claims – Impaired.

The undersigned, the holder of a Class 2 Other Secured Claim against the Debtor, in the amount of \$ _____,¹ hereby:

☐ Accepts the Plan. ☐ Rejects the Plan. **[Check one box only]**

Dated: _____

Print or type Name: _____

Signature: _____

Title (if corporation or partnership): _____

Address: _____

Return this ballot to:

**If by first class mail to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq
Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422**

¹ For voting purposes only, subject to tabulation rules.

If by overnight mail or hand delivery to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon 97005.

Exhibit D

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401-7212
Michael J. Viscount, Esq.
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
mviscount@foxrothschild.com
mchovanes@foxrothschild.com
jdipasquale@foxrothschild.com
Telephone: (609) 348-4515
Facsimile: (609) 348-6834

*Counsel to the Official Committee of Unsecured
Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**BALLOT FOR ACCEPTING OR REJECTING THE PLAN OF LIQUIDATION OF THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ALUMINUM SHAPES
L.L.C. PURSUANT TO SECTION 1126(B) OF THE BANKRUPTCY CODE**

For Use by Record Holders of Class 3 Claims (General Unsecured Creditor Claims)

DEADLINE FOR RECEIPT OF BALLOTS: JUNE 24, 2022 AT 5:00 P.M. (ET)

The Plan of Liquidation (the “Plan”) proposed by the Official Committee of Unsecured Creditors of Aluminum Shapes L.L.C. in the above-referenced case (the “Committee”), dated May 6, 2022 [Docket No. 511], filed in the above-captioned Chapter 11 Case, referred to in this Ballot and transmitted concurrently herewith. **As set forth in the Plan, Class 3 is entitled to vote on the Plan.** Class 3 is comprised of holders of Allowed General Unsecured Creditor Claims. Pursuant to section 1126(c) of section 1129 of Title 11 of the United States Code (the “Bankruptcy Code”), acceptance of the Plan by Class 3, and confirmation of the Plan by the Bankruptcy Court, requires that at least two-thirds (2/3) in amount and one-half (1/2) in number of holders of Class 3 Claims vote in favor of the Plan. Before casting your vote, please refer to the Plan, which is transmitted concurrently herewith.

You should review the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your claim has been placed in Class 3 under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Epiq Bankruptcy Solutions, LLC (“Epiq”) through completing the ballot on Epiq’s website at <https://dm.epiq11.com/aluminumshapes> and then click on the “E-Ballot” section of the website and follow the instructions for ballot submission, or if filing by paper, by first class mail at: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422 or if by overnight mail or hand delivery to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon 97005, on or before JUNE 24, 2022 at 5:00 p.m. (ET), and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

If a Ballot is signed by a trustee, executor, administrator, guardian, attorney-in-fact, officer of a corporation, partner of a partnership, or other person acting in a fiduciary or representative capacity, such person should indicate his or her capacity when signing.

(Please complete the next page)

PLEASE SEE PRIOR PAGE FOR INSTRUCTIONS

**ALUMINUM SHAPES L.L.C.
CHAPTER 11 – CASE NO. 21-16520-JNP
United States Bankruptcy Court for the District of New Jersey**

***Committee Plan of Liquidation of the Debtor Under Chapter 11
of the Bankruptcy Code (Dated May 6, 2022)***

Class 3: General Unsecured Creditor Claims – Impaired.

The undersigned, the holder of a Class 3 Other Secured Claim against the Debtor, in the amount of \$ _____,¹ hereby:

☐ Accepts the Plan.

☐ Rejects the Plan.

[Check one box only]

Dated: _____

Print or type Name: _____

Signature: _____

Title (if corporation or partnership): _____

Address: _____

Return this ballot to:

**If by first class mail to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq
Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422**

¹ For voting purposes only, subject to tabulation rules.

**If by overnight mail or hand delivery to: Aluminum Shapes LLC, Ballot Processing
Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon
97005.**

Exhibit E

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401-7212
Michael J. Viscount, Esq.
Martha B. Chovanes, Esq.
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Telephone: (609) 348-4515
Facsimile: (609) 348-6834

*Counsel to the Official Committee of Unsecured
Creditors*

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**BALLOT FOR ACCEPTING OR REJECTING THE PLAN OF LIQUIDATION OF THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ALUMINUM SHAPES
L.L.C. PURSUANT TO SECTION 1126(B) OF THE BANKRUPTCY CODE**

*For Use by Record Holders of Class 4 Claims (General Unsecured Worker's Compensation
Creditor Claims)*

DEADLINE FOR RECEIPT OF BALLOTS: JUNE 24, 2022 AT 5:00 P.M.

The Plan of Liquidation (the “Plan”) proposed by the Official Committee of Unsecured Creditors of Aluminum Shapes L.L.C. in the above-referenced case (the “Committee”), dated May 6, 2022 [Docket No. 511], filed in the above-captioned Chapter 11 Case, referred to in this Ballot and transmitted concurrently herewith. **As set forth in the Plan, Class 4 is entitled to vote on the Plan.** Class 4 is comprised of holders of Allowed General Unsecured Worker’s Compensation Claims. Pursuant to section 1126(c) of section 1129 of Title 11 of the United States Code (the “Bankruptcy Code”), acceptance of the Plan by Class 4, and confirmation of the Plan by the Bankruptcy Court, requires that at least two-thirds (2/3) in amount and one-half (1/2) in number of holders of Class 4 Claims vote in favor of the Plan. Before casting your vote, please refer to the Plan, which is transmitted concurrently herewith.

You should review the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your claim has been placed in Class 4 under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Epiq Bankruptcy Solutions, LLC (“Epiq”) through completing the ballot on Epiq’s website at <https://dm.epiq11.com/aluminumshapes> and then click on the “E-Ballot” section of the website and follow the instructions for ballot submission, or if filing by paper, by first class mail at: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422 or if by overnight mail or hand delivery to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon 97005, on or before JUNE 24, 2022 at 5:00 p.m. (ET), and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

If a Ballot is signed by a trustee, executor, administrator, guardian, attorney-in-fact, officer of a corporation, partner of a partnership, or other person acting in a fiduciary or representative capacity, such person should indicate his or her capacity when signing.

(Please complete the next page)

PLEASE SEE PRIOR PAGE FOR INSTRUCTIONS

**ALUMINUM SHAPES L.L.C.
CHAPTER 11 – CASE NO. 21-16520-JNP
United States Bankruptcy Court for the District of New Jersey**

***Committee Plan of Liquidation of the Debtor Under Chapter 11
of the Bankruptcy Code (Dated May 6, 2022)***

**Class 4: General Unsecured Worker's Compensation Creditor Claims
– Impaired.**

The undersigned, the holder of a Class 4 Other Secured Claim against the Debtor, in the amount of \$ _____,¹ hereby:

☐ Accepts the Plan. ☐ Rejects the Plan. **[Check one box only]**

Dated: _____

Print or type Name: _____

Signature: _____

Title (if corporation or partnership): _____

Address: _____

Return this ballot to:

**If by first class mail to: Aluminum Shapes LLC, Ballot Processing Center, c/o Epiq
Corporate Restructuring, P.O. Box 4422, Beaverton, Oregon 97076-4422**

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Center, c/o Epiq Corporate Restructuring, 10300 SW Allen Blvd., Beaverton, Oregon
97005.**